

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JAN ALEC WEITH,

Plaintiff,

v.

GOVERNOR GAVIN NEWSOM, et al.,

Defendants.

Case No.: 1:22-cv-1256 JLT SKO (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS DISMISSING THE
ACTION FOR PLAINTIFF'S FAILURE TO
PROSECUTE, FAILURE TO OBEY COURT
ORDERS, AND FAILURE TO COMPLY WITH
THE LOCAL RULES
(Doc. 5)

ORDER DIRECTING THE CLERK OF COURT
TO CLOSE THE CASE

Jan Alec Weith, seeking to proceed *in forma pauperis*, initiated this action in which she alleges the defendants are liable for violations of his civil rights pursuant to 42 U.S.C. § 1983. Mail from the Court to Plaintiff has been returned as undeliverable since October 17, 2022.

The assigned magistrate judge found Plaintiff failed to prosecute the action, failed to obey the Court's orders, and failed to keep the Court informed of a proper mailing address as required by Local Rule 183(b). (Doc. 5 at 2-3.) Therefore, the magistrate judge recommended the action be dismissed with prejudice. (*Id.* at 3.) The Findings and Recommendations were served on Plaintiff on that same date, at the only address on record. However, the Findings and Recommendations were also returned to the Court, marked "Undeliverable, RTS, Attempted – Not Known, Unable to Forward" on February 1, 2023. Plaintiff has not submitted a "Notice of Change of Address" to inform the Court of his proper mailing address, and the Court remains

1 unable to communicate with Plaintiff at this time.

2 Pursuant to 28 U.S.C. § 636(b)(1)(C), this Court conducted a *de novo* review of this case.

3 Having carefully reviewed the entire matter, the Court concludes the Findings and

4 Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 5 1. The Findings and Recommendations issued on January 24, 2023 (Doc. 5) are
- 6 **ADOPTED** in full.
- 7 2. This action is **DISMISSED** with prejudice.
- 8 3. The Clerk of the Court is directed to terminate the remaining motions and to close
- 9 this case.

10 IT IS SO ORDERED.

11 Dated: **February 21, 2023**

12 
UNITED STATES DISTRICT JUDGE